

**FINDINGS, CONCLUSIONS AND DECISION  
OF THE CITY COUNCIL OF THE CITY OF SEATTLE**

Council land use action to allow a 216 sq. ft.	)	C.F. 313734
addition to Fire Station No. 29, located at	)	
2139 Ferry Ave SW (Project No. 3017244,	)	
Type V).	)	DPD Application #3017244
	)	
	)	FINDINGS, CONCLUSIONS
	)	AND DECISION

**Background**

The Finance and Administrative Services Department (FAS) has applied for a Council Concept Approval to modify development standards to allow 216 and 40 square foot additions to an existing public facility (Fire Station #29) in a single family zoning district. The proposed additions are part of a larger seismic and safety upgrade project.

The site is located on the north side of the three-way intersection of SW Walker Street, 45<sup>th</sup> Avenue SW and Ferry Avenue SW. The 11,325 square foot site is zoned Single Family 5,000 (SF5000). The site contains Fire Station 29, a 4,222 square foot station originally built in 1970. The station provides three surface parking spaces accessed from 45<sup>th</sup> Avenue SW. The property shares a lot line with a single family structure to the north.

On July 14, 2014, the Department of Planning and Development (DPD) issued its Analysis and Recommendations and published a Notice of Public Hearing for Council to consider the request for concept approval. DPD recommended approval of the project.

On August 13, 2014, the City Council's Planning, Land Use and Sustainability Committee (PLUS Committee) held a public hearing on DPD's recommendation and received a briefing on the project prior to making its recommendation to the full Council.

**Findings of Fact**

The City Council hereby adopts the following Findings of Fact:

1. Fire Station 29 is located in the Admiral District of West Seattle at the three-way intersection of 45<sup>th</sup> Ave. SW, Ferry Ave. SW, and SW Walker Street.
2. The project site is zoned Single Family 5000 (SF 5000). All properties surrounding the subject lot are developed with single-family houses.
3. FAS owns the site.
4. The project site is generally flat. An exceptional tree is located at the south portion of the site adjacent to the three way intersection. The site does not contain any Environmentally Critical Areas.

5. Due to its small size, the project is exempt from environmental review under the State Environmental Policy Act (SEPA).
6. Public facilities, including fire stations, may be permitted in single family zones as a council conditional use pursuant to Seattle Municipal Code (SMC) section 23.44.036 and 23.51A.002. SMC 23.44 contains development standards for public facilities in single family zones. SMC 23.76.064 includes provisions for the City Council to grant concept approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City Facilities. SMC 23.76.064 classifies this decision as a Type V legislative action. FAS seeks a Council Concept Approval to modify one development standard as shown in Table A.

Table A

Development Standard	Required	Proposed
SMC 23.44.010	Maximum Lot Coverage is limited to 35% total lot area	39.5% lot coverage for a total lot coverage of 4,473 square feet

7. In making a recommendation to Council, SMC 23.76.050 requires that the DPD Director draft an evaluation of the proposal based on the following standards and criteria:
  1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application or request;
  2. Responses to written comments from the public;
  3. An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;
  4. All environmental documentation, including any checklist, EIS or DNS; and
  5. The Director's recommendation to approve, approve with conditions, or deny a proposal.
8. The following findings were included in the Analysis and Recommendation of the DPD Director concerning the project's compliance with criteria in SMC 23.76.050:
  - a. No written recommendations or comments were received from affected City departments or other governmental agencies having an interest in the application or request.
  - b. No public comments were received during the public comment period, which ended on April 30, 2014.
  - c. SMC 23.51A.002 B includes standards and criteria for the proposed public facility use:

*The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development*

*standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as type V legislative decisions.*

The fire station structure already exists at this location within a single family zone. While the site is zoned single family, the lot is located at the intersection of three streets, and shares only one property line with an adjacent single family home.

This fire station is home to fire fighters responding to 911 dispatches. The rapid, efficient dispatch of first responders is essential for protecting lives and property within the City of Seattle. The proposed interior construction will seismically update the existing station to be compatible with current standards. The interior alterations and additions are necessary to house apparatus support equipment while also providing living spaces for first responders. The limited scope of work proposed will allow existing building to continue service to the City residents without the need for a new building at a different site. In light of these facts, there is clear public necessity for this fire station within a single family zone.

As noted above the fire station structure requires one modification to development standards for institutions in single family zones pursuant to SMC 23.44.022. A modification to the maximum allowed lot coverage is requested. The proposed structure will have a total lot coverage of 4,472.78 square feet which is 39.5% total lot area, so a modification of 4.5% is requested.

The existing fire station already exceeds maximum allowed lot coverage in a single family zone. The total existing lot coverage is 4,222square feet or 37.4% total lot area. The proposed building would increase the lot coverage nonconformity by 2.1%. The addition will meet all required setbacks and be located on the south portion of the site. The addition will be located as far as possible from the adjacent neighbor to the north which will minimize any bulk impacts to surrounding properties.

The additions are required to provide the storage, housing and support functions for the operation of the existing fire station.

The proposed addition will minimize impacts to adjacent properties by maintaining the existing exceptional tree on the south portion of the site. The building will be clad in brick to be consistent with the existing building materials.

- d. The proposed facility is categorically exempt from threshold determination and EIS requirements according to SMC 25.05.800 A2c Table B, because the project proposal includes the construction of an addition to an existing service building that already contains more than 4,000 square feet gross floor area in a single family zone.
- e. Based on the analysis provided above, DPD recommends approval of the proposed fire station addition in a single family zone with the requested modification to development standards as described in Table A.

### **Conclusions**

The City Council hereby adopts the following Conclusions:

1. Fire Station 29 is a City facility as defined in SMC 23.84A.006.
2. Public facilities require Council approval when the use is established in a SF 5000 zone, and when modifications to development standards are required.
3. The adjacent uses and development standards of the zone and the location of the existing exceptional tree have been considered in designing a minor addition to the existing facility, which, when combined with other changes to the interior of the building, will improve the safety and usability of the station.

Accordingly, the City Council now concludes that requested concept approval for modifications to the single family development standards should be granted.

### **Decision**

The City Council hereby GRANTS in concept the proposed modifications to development standards for the project as shown in Table A, above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Council President